

# Notice of Allowability

Application No.

10/553,451

Examiner

M. Louisa Lao

Applicant(s)

UENO ET AL.

Art Unit

1621

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/18/07.
2. ☒ The allowed claim(s) is/are 1-10.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 10/17/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 6/19/07.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Bruce Kramer, *Esq.* on June 20, 2007 and July 17, 2007.

The application has been amended as follows:

#### IN THE CLAIMS:

**Claim 5(Amended):** A process for preparing crystalline parahydroxybenzoic acid anhydride, comprising the steps of:

~~providing a suspension of parahydroxybenzoic acid monohydrate in an aqueous solvent;~~  
~~preparing~~ a liquid solution of parahydroxybenzoic acid in an aqueous solvent by heating  
~~the suspension~~ a suspension of parahydrobenzoic acid monohydrate in an aqueous solvent:

precipitating crystalline parahydroxybenzoic acid anhydride by keeping said solution at a temperature equal to or above the transition temperature of parahydroxybenzoic acid; and

isolating the crystalline parahydroxybenzoic acid anhydride at a temperature equal to or above the transition temperature of parahydroxybenzoic acid.

**Claim 6 (Amended):** Please delete in line 5, the word "changing" and replace with the word "converting".

**Claim 8 (Amended):** Crystalline parahydroxybenzoic acid anhydride prepared by the method of claim 1, wherein particles of parahydroxybenzoic acid anhydride ~~the specific surface area of particles that~~ can pass through a 100 mesh (150  $\mu$ m) sieve and can not pass through a 140 mesh (106  $\mu$ m) sieve, and the specific surface area if the particles is equal to or less than 0.3 m<sup>2</sup>/g.

2. The following is an examiner's statement of reasons for allowance:

The prior art made of record teaches a process for the hydrolysis of the salt of parahydroxybenzoic acid salt to its corresponding acid, not its corresponding anhydride. Said prior art operates at a temperature that allows the formation of thicker needles and higher bulk density, which effectuates to better handling of the parahydroxybenzoic acid. The cited prior art neither teaches or suggests preparing crystalline parahydroxybenzoic acid anhydride, in the manner described in the instant application, comprising *inter alia*, the step of precipitating and isolating parahydroxybenzoic acid in an aqueous solvent at a temperature equal to or above the transition temperature of parahydroxybenzoic acid.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

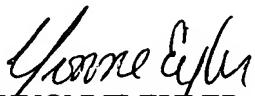
### ***Correspondence***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MLouisa Lao whose telephone number is 571-272-9930. The examiner can normally be reached on Mondays to Thursdays from 8:00am to 8:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yvonne Eyler can be reached on 571-272-0871. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

Art Unit: 1621

applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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